



**National
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***Empowering Communities.
Changing Lives.***

January 28, 2013

Chairman Julius Genachowski
Commissioner Robert McDowell
Commissioner Mignon Clyburn
Commissioner Jessica Rosenworcel
Commissioner Ajit Pai

Federal Communications Commission
445 12th Street, SW
Washington, DC 20054

Re. GN Docket No. 12-353

Dear Chairman Genachowski and Commissioners:

As the leaders of one of the largest civil rights organizations, the National Urban League (NUL) and the National Action Network, Inc., we write to you regarding AT&T's Petition to Launch a Proceeding Concerning the TDM-to-IP Transition ("AT&T Petition").

The mission of NUL and NAN is to enable African Americans to secure economic self-reliance, parity, power and civil rights. Driving robust investment, economic growth and job creation that appropriately flow through to the communities that we work in is critically important to achieving this mission. This is why the NUL and the NAN have always supported thoughtful, nuanced and practical solutions that achieve that.

We believe that the proposals set out in the AT&T Petition have the potential to drive robust investment, economic growth and job creation in the communities that we work in. It is laudable that a private enterprise like AT&T is taking up the challenge to upgrade the nation's infrastructure to keep pace with other developed countries at a time when governments are hobbled by unprecedented indebtedness. This should be encouraged by all concerned.





The AT&T Petition seeks the Commission's approval to set in place a roadmap to transition the nation's legacy TDM communications networks to all Internet Protocol (IP) enabled networks. This infrastructure investment will bring networks that provide advanced voice, video and high-speed Internet service to more homes and businesses currently served by AT&T. Some other developed countries are already well advanced in transitioning to all IP networks and it is paramount that the United States keeps pace.

For these reasons we support the AT&T Petition as we understand it and urge the Commission to approve it in a manner that advances the interests of consumers of color. The AT&T Petition provides the FCC with an opportunity to test the full transition to an all IP network in test studies and in other controlled environments. This can also be a roadmap through which the ultimate goal of an all IP network providing all IP services can be achieved with the minimum disruptions to consumers, especially being mindful of consumers located in communities with less attractive business models for infrastructure build-out.

NUL and NAN believe that in approving the AT&T Petition, the Commission must be mindful of how a shift to an all IP infrastructure will change the way telecommunications services are regulated. We should use the trial as a means to understand how this shift will affect persons of color and we need to especially ensure that consumers of color continue to have access to affordable, reliable service in the future. In moving forward on the transition, the Commission should reaffirm the principle that no one will be left behind, that all consumers will have access to affordable and reliable services, thus that all consumers are protected in the shift to all IP.

In that respect, we make the following suggestions about the issues that the Commission should be mindful of and urge the Commission to take the actions that we recommend:

- The Commission should study the potential harm to consumers of color, if any, that the AT&T Petition may cause by removing AT&T's existing regulatory obligations

The Commission should consider whether the movement to an all IP network will result in continued consumer benefits for all by, proactively prohibiting unjust or unreasonable practices, allowing for universal service, and enacting other pro-consumer protections. Moreover, as in the past, we should ensure that consumers have a place to seek redress in an all IP environment.

The reason why this is even an issue is because the telecommunications laws passed by Congress in 1996 have not kept pace with rapid technological developments. In 2013, the Commission is now in the unenviable position of trying to fit new technology like IP enabled telephone services into a regulatory structure that did not contemplate that. The Commission must examine that when assessing the AT&T Petition.



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- The Commission should find solutions that facilitate infrastructure investment, including those proposed in the AT&T Petition, and protect the basic interests of consumers

If the existing regulatory obligations on AT&T are removed as a result of the changes proposed in the AT&T Petition, then the solution to protecting the interests of consumers is not to deny the AT&T Petition. Rather, we urge the Commission to come up with regulatory solutions that facilitate necessary investments like those in the AT&T Petition but also maintain the necessary and practical regulations that benefit all consumers, especially minority consumers. Even AT&T has acknowledged that the transition to all IP networks should not result in a no regulation environment.

We recognize that given the court decisions over the last decade or more, the Commission's ability to apply existing regulatory obligations to new services, especially IP services, may be unclear. A review and a re-write of the telecommunications laws is the ideal solution, but innovation, investment and growth cannot wait for that. In the meantime, we encourage the Commission to use various means which may include market tests as outlined in the AT&T Petition and use this process as a means to deploy new networks to consumers and also discuss the changes to telecommunications laws needed to bring them up to date. We urge the Commission to rise up to this challenge by finding innovative solutions which we think are possible.

We stand willing to assist and support the Commission in every way we can, particularly in ensuring that our most vulnerable citizens' ability to participate in the digital age are protected. Please contact Chanelle Hardy of the National Urban League Policy Institute at 202-629-5753 and Michael A. Hardy at 646-380-2167 if you would like to discuss the above issues.

Sincerely,

Marc H. Morial
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National Urban League

Rev. Al Sharpton
Founder and President
National Action Network, Inc.

